

C7
conced.

e. said inwardly tapered annular wall causing said rear end portion of said cylindrical sleeve to be deformed inwardly toward said tubular post and against the jacket of the coaxial cable as said compression ring is advanced axially over the cylindrical body member toward the second end of said cylindrical body member.

REMARKS

Claims 2, 4, 6, 8, and 10-14 and new claims 15 - 20 are pending in this application. By this amendment, claims 3, 5, 7, and 9 have been cancelled and claims 2, and 10-14 have been amended for clarification purposes.

Claims 2-14 are objected to because at line 1 of each of claims 2, 3, and 10-14, it appears that "the end" should be "an end." Claims 2, and 10-14 are not being amended for reasons related to patentability, nor for the purpose of overcoming prior art. Applicant submits that the amendments to claims 2, 10-14, including changing the word "the" to the word "an", are formalistic changes or for clarification only and do not materially differentiate the pending claims from the corresponding claims of unexpired U.S. Patent No. '350 to Burris et al. (hereinafter "the Burris patent"). The claims continue to be drawn to the same patentable invention as in the corresponding claims of unexpired U.S. Patent No. '350 to Burris et al. The pending claims continue to be presented to provoke an interference with the Burris patent. See the Applicant's Remarks

beginning at page 10 of the Preliminary Amendment, which are incorporated herein by reference as if fully set forth.

Reconsideration in view of the above amendments and the following remarks is respectfully requested.

Claims 3, 5, 7, and 9 are rejected under 35 U.S.C. § 112, second paragraph, because they are substantially the same as claims 2, 4, 6 and 8, as pointed out by the Examiner. Claims 3, 5, 7, and 9 are being cancelled not for reasons related to patentability of such claims in view of prior art. They are being cancelled because they are substantially the same as claims 2, 4, 6 and 8 as pointed out by the Examiner.

With respect to the examiner's rejection of claim 12 under 35 U.S.C. §112, first paragraph, as supposedly containing subject matter that was not described in the specification in such a way as to reasonably convey to one skilled in the art that the inventor, at the time of the application was filed, had possession of the claimed invention, applicant requests reconsideration in light of the following argument. The Applicant submits that in light of the shape and co-operative nature of the physical structures (i.e., co-operation of the "sleeve" of the connector body 124 and the "fastener" member 128), any supposed difference between the phrase "to facilitate radial movement of the cylindrical sleeve" and the phrase "to reduce the driving force needed for [driving] the fastener" are purely semantical (i.e., a mere matter of language) with no difference in substance.

Claim 12 claims that the corrugated surface of the compressible sleeve does "facilitate radial movement of said cylindrical sleeve." Of course, the word "facilitate" means, "to make easy or easier." The application states : "This corrugated surface portion is believed **to reduce the driving force needed** to move or slide fastener member 128 along [the cylindrical sleeve of] connector body 124." It will be readily apparent to persons skilled in the art, e.g., mechanical engineers, that the axial "driving force needed for [driving] the fastener" over the cylindrical sleeve is directly related (e.g., roughly proportional) to the force needed to compress (i.e., induce the "radial movement of") the cylindrical sleeve. The axial driving "force" is the CAUSE, and the "radial movement" is an EFFECT of that CAUSE. Conversely, the "facilitat[ion]" of that EFFECT (i.e., radial movement), is observed as the reduction in the required quantity of that CAUSE (i.e, the reduction of the Force needed). Therefore, the "ease" by which the "radial movement of said cylindrical sleeve" is observable and measurable as a reduction of the axial driving "force" needed for driving the fastener over the sleeve while compressing (i.e., forcing radial movement of) the said cylindrical sleeve. In other words, the "ease" or "facilitat[ion]" which is experienced by providing the corrugations, is observed and perceived and is quantifiable as the measurable reduction of the driving "force" needed for driving the fastener over the sleeve. Applicant submits that the specification's reference to the measurable reduction of that

C

axial "force needed" is a precise, definite, and accurate way of saying that the radial movement of said cylindrical sleeve is "facilitated" by providing the corrugations. Thus, the Applicant's explicit and precise disclosure that the corrugations "reduce the driving force needed (to force the radial movement of the cylindrical sleeve)" provides complete support for the claim language that the corrugations "facilitate" the radial movement of said cylindrical sleeve, and would clearly convey to one skilled in the art that the inventor, at the time of the application was filed, had possession of the claimed invention. Accordingly, Applicant respectfully requests the Examiner to withdraw the section 112, first paragraph, rejection of claim 12.

In the Office Action, independent claims 2, 8, 10, 13 and 14 are rejected under 35 U.S.C. §102(e) as being anticipated by Holliday 5,863,220 (see Fig. 4), despite the fact that the US Patent Office had already specifically decided that claims 2, 8, 10, 13 (copied verbatim from the U.S. patent issued to Burris, U.S. Patent No. 5,997,350 ('350)) are patentable over U.S. Patent 5,863,220 issued to Holliday. As the result of an interview between the Examiner and Applicant's representative, Arlen Olsen, it is Applicant's understanding that the Examiner's present interpretation of Burris' claims 1, 5, 6 and 7 (corresponding to copied claims 2, 8, 10, 13 pending herein) in relation to Holliday '220 is as follows: The claimed "cylindrical sleeve having an outer wall of a first predetermined diameter" corresponds to the "outer sleeve 62" of Holliday '220 PLUS "the

threaded portion 66" of "cylindrical connector body 60" of Holliday '220, and thus the claimed "first predetermined diameter" may be a diameter of "the threaded portion 66", and not necessarily a diameter of the "outer sleeve 62" of Holliday '220; The claimed "open rear end portion [of the cylindrical sleeve] for receiving the outer jacket of the coaxial cable, said open rear end portion being deformable" corresponds to the deformable "outer sleeve 62" of Holliday '220; The claimed "compression ring" corresponds to the entire "splicing device 18 or 18'" of Holliday '220 Fig. 4; The claimed "first internal bore [of the compression ring] of a diameter commensurate with the first predetermined diameter" corresponds to "internally threaded portion 50' of the splicing device 18'" of Holliday '220 which (for purposes of threaded engagement) may be said to have a diameter commensurate with the diameter of "the threaded portion 66" of "cylindrical connector body 60" of Holliday '220.

Thus, according to the Examiner's present interpretation of the claims copied from the Burris patent, claims 1, 5, 6 and 7 of U.S. Patent No. '350 issued to Burris et al. are anticipated by Holliday '220 and are unpatentable, and such claims in the Burris Patent are invalid. It follows only from the Examiner's present interpretation of the Burris claims that the claims pending herein which were copied verbatim from the Burris patent, are anticipated by Holliday '220. Holliday '220 was cited as of record by the Patent Office in the Burris et al '350 patent from which the present claims were copied.

Applicant notes that an alternative interpretation of claims 1, 5, 6 and 7 of Burris is reasonable wherein the claimed "cylindrical sleeve having an outer wall of a first predetermined diameter" corresponds to the "outer sleeve 62" of Holliday '220 and NOT to "the threaded portion 66" of "cylindrical connector body 60" of Holliday '220. Under this interpretation, the claimed "first predetermined diameter" may correspond to a diameter of the deformable "outer sleeve 62" of Holliday '220 but NOT a diameter of "the threaded portion 66". This alternative interpretation correlates "sleeve"-to-"sleeve" and results in the conclusion, consistent with the decision originally made by the Patent Office in the Burris application, that the pending claims are patentable to the Applicant herein.

Applicant submits that the present broad interpretation that includes the very different structures of Holliday potentially renders each independent claim in the Burris patent, as a whole, internally inconsistent. Applicant submits that the latter reasonable interpretation of the Burris claims should be consistently applied to the Applicant's application as it was applied to the similar application of Burris. However, in view of the Examiner's position that a broader interpretation shall be applied to Applicant's copied claims than was applied to the same claims in the application of Burris, Applicant has amended pending independent claims 2, 10, 11, and 13. In the event that it be finally determined that the Examiner's present broad interpretation is appropriate for the pending claims copied from

the Burris patent, this amendment is for clarification purposes only and not for reasons related to patentability. The independent claims 2, 10, 11, and 13 continue to be drawn to the same patentable invention as in the corresponding claims of unexpired U.S. Patent No. '350 to Burris et al.

The Holliday '220 reference does not teach each and every feature of the claimed invention as required by law to support a rejection under 102. To anticipate a claim, a prior art reference must disclose every feature of the claimed invention either explicitly or inherently. *Glaxo Inc. v. Novopham Ltd.* 52 F.3d 1043 (1995). As the Examiner has pointed out, Holliday does show a "cylindrical body member 60 with a [compressible] sleeve 62" and a "splicing" structure 18' that includes "a compression ring" having "an inwardly tapered annular wall". However, Holliday DOES NOT DISCLOSE NOR SUGGEST, *inter alia*,

a compression ring having first and second opposing ends and having a central passageway extending therethrough between the first and second ends thereof, the first end of said compression ring having a first internal bore of a diameter commensurate with the first predetermined diameter of the outer wall of said open rear end portion of said cylindrical sleeve for allowing the first end of said compression ring to extend over the first end of said cylindrical body member, the central passageway of said compression ring including an inwardly tapered annular wall leading from the first internal bore and narrowing to a reduced diameter as compared with the first predetermined diameter

as claimed in paragraph "d" of each of independent claims 2, 10, 11, and 13. For example, Holliday '220 DOES NOT DISCLOSE NOR SUGGEST "a first internal bore of a diameter commensurate with the first predetermined diameter of the outer wall of said open rear end portion of said cylindrical sleeve" as claimed in each

of independent claims 2, 10, 11, and 13. In accordance with this observation, the Examiner's Office Action does not specifically allege that Holliday '220 discloses "a first internal bore of a diameter commensurate with" a diameter of a deformable segment of the "cylindrical body member 60" of Holliday '220. The cylindrical "internally threaded portion 50" (Holliday '220) leading from the "inwardly tapered annular wall" 54 (within structure 18 or 18' of Holliday '220) is clearly NOT "of a diameter commensurate with the first predetermined diameter of the outer wall of said open rear end portion of said cylindrical sleeve" as claimed in each of independent claims 2, 10, 11 and 13.

Accordingly, the Applicant respectfully requests that the Examiner withdraw the rejections of independent claims 2, 10, 11 and 13, and claims depending therefrom and declare an interference with the Burris patent.

Similarly, the Applicant respectfully requests that the Examiner withdraw the rejection of independent claims 12^{wasn't} and 14 under 102(e), because Holliday '220 does not teach nor suggest:

a fastener member [e.g., "compression ring"] having first and second opposing openings and having a second cavity extending therethrough between the first and second opposing openings thereof, the first opening of said fastener member having a first inner bore of a diameter commensurate with the first predetermined diameter of **the outer wall** of said connector body **for allowing the first opening** of said fastener member **to extend over the first end of said connector body**, the second cavity of said fastener member including **a ramped surface leading from the first inner bore and narrowing to a reduced diameter** ... said ramped surface causing said open end of said cylindrical sleeve to be deformed inwardly

as claimed in independent claims 12 and 14.

Similarly, the Applicant respectfully requests that the Examiner withdraw the rejection of claims 4 and 6 under 103(a), the rejection being made in view of Holliday '220 and Szegda (U.S. Pat. No. 5,470,257). Applicant notes that both Holliday '220 and Szegda '257 are cited as "References Cited" and considered by the USPTO in the Burris Patent, No. '350, from which the pending claims were copied.

Neither Holliday '220 nor Szegda '257, taken either alone or in combination, teaches nor suggests "a compression ring having first and second opposing ends and having a central passageway extending therethrough between the first and second ends thereof, the first end of said compression ring having a first internal bore of a diameter commensurate with the first predetermined diameter of the outer wall of said open rear end portion of said cylindrical sleeve for allowing the first end of said compression ring to extend over the first end of said cylindrical body member, the central passageway of said compression ring including an inwardly tapered annular wall leading from the first internal bore and narrowing to a reduced diameter as compared with the first predetermined diameter" as claimed in pending dependent claims 4 and 6.

Finally, although the asserted grounds for rejection of claims 13 and 14 under 102(e) is mooted by the above arguments, it is worthy of note that the "threads 66" provided in Holliday '220 are not provided "to reduce the driving force" needed to

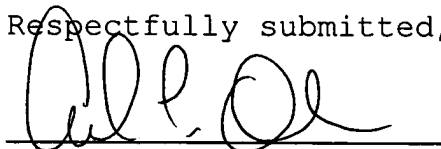
advance the compression ring within structure 18', but quite the contrary, the threads are provided to PRODUCE the large driving force needed to advance the compression ring within structure 18' over the non-corrugated deformable sleeve 62. Further, the "threads 66" of Holliday '220 are not provided in the "sleeve" that undergoes "radial movement" but rather in a part that is remote from that "sleeve" and which undergoes no significant "radial movement."

CONCLUSION

In conclusion, Applicant respectfully submits that the application is in condition for allowance. Applicants further submit that the Examiner should declare an interference with the the Burris patent (U.S. Patent No. '350 to Burris et al.

Should the Examiner believe that anything further is necessary to place the application in better condition for allowance, the Examiner is respectfully requested to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,



Arlen L. Olsen
Reg. No. 37,543

Dated: 8/27/01

Schmeiser, Olsen & Watts
3 Lear Jet Lane, Suite 201
Latham, N.Y. 12110
(518) 220-1850

C